

REMARKS

This amendment is submitted in response to the Final Official Action mailed May 10, 2006 and follows the informal November 9, 2006 telephone interview with the Examiner, which is gratefully acknowledged. The Examiner confirmed that a properly supported amendment removing language from Claim 1 directed to more than one transition metal atom per transition metal center would overcome the sole rejection of the Official Action, and suggested that Claim 1 be amended to recite, "each repeating structural unit comprising a transition metal center, wherein each transition metal center is coordinated to" The Examiner also stated that he would enter such an amendment without requiring Applicants to submit a Request for Continued Examination, which is also gratefully acknowledged.

In the Official Action Claims 1-3 and 12-13 are currently pending. Claims 4-11 and 14 are now canceled. Applicants appreciate the Examiner's indication that claims 2, 3, 12 and 13 are directed to allowable subject matter. Claim 1 has been amended to more particularly point out and distinctly claim the subject matter of the invention by deleting the term "consisting of one or more transition metal atoms," as the Examiner suggested, so that Claim 1 is no longer directed to compounds with transition metal centers containing a plurality of transition metal atoms. Claim 1 has also been amended to define the repeating structural units as "consisting of" a transition metal center to exclude repeating structural units with plural transition metal centers. Claim 2 has been rewritten in independent form. None of the claim amendments introduces new matter.

In view of the above claim amendments and the following remarks, reconsideration by the Examiner and allowance of the application are respectfully requested.

Claim 1 was rejected under 35 U.S.C. §102(b) as anticipated by Tao et al., Chem. Comm., 20, 2043-44 (2000). Tao et al. is cited as disclosing the preparation of a zinc-based coordination polymer derived from zinc oxo clusters, which the Examiner considered to be four zinc atom transition metal centers joined to a single oxygen atom, thereby anticipating

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Claim 1. This rejection is respectfully traversed in view of the above claim amendments for the reasons set forth hereinafter.

Claim 1 has been amended as suggested by the Examiner, to recite that each repeating structural unit consists of a transition metal center. As acknowledged by the Examiner, this excludes the zinc oxo cluster of transition metal centers of Tao et al.

Because Claim 1 has been amended to exclude compounds with zinc oxo (Zn_4O and $Zn_4(OH)_2$) clusters of transition metal centers, Claim 1 is no longer anticipated by Tao et al. By amending Claim 1 in this manner, the rejection of the claim under 35 U.S.C. §102(b) as being anticipated by Tao et al. has thus been overcome.

Furthermore there is no teaching or suggestion in Tao et al. that replacing the zinc oxo repeating structural units with repeating structural units consisting of a transition metal center will produce a compound structure that is porous and dimensionally interconvertible. Claim 1 is therefore also not obvious in view of Tao et al. under 35 U.S.C. §103(a).

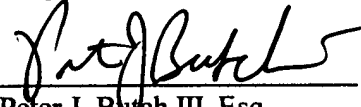
Reconsideration by the Examiner and withdrawal of this rejection is respectfully requested.

In view of the foregoing, the claims in this application are in condition for allowance. A three-month Petition for Extension of Time to respond to the Office Action is also enclosed with a credit card authorization form for the required fee of \$510.00 (small entity). If there are any additional charges in connection with this response, the Examiner is authorized to charge Applicant's Deposit Account No. 19-5425 therefore.

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Respectfully submitted,


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